

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LISA KURTZ and NORMAN KURTZ,

2007-

Plaintiffs,

- against -

**AFFIDAVIT OF
CONSENT FOR
REMOVAL**

C.B. FLEET HOLDING COMPANY,
INCORPORATED, C.B. FLEET COMPANY,
INC., GENOVESE DRUG STORES, INC.,
ECKERD CORPORATION, and ECKERD
STORE # 5605,

Defendants.
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COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF *Cumberland*)

Anita Ward, of full age, being duly sworn according to law, upon oath deposes and says:

1. I am Director of Claims for Rite Aid Corporation. Rite Aid Corporation is the parent company of defendants GENOVESE DRUG STORES, INC. and ECKERD CORPORATION i/s/h/a "ECKERD CORPORATION and ECKERD STORE # 5605". I have personal knowledge of the facts set forth in this affidavit.

2. GENOVESE DRUG STORES, INC. and ECKERD CORPORATION i/s/h/a "ECKERD CORPORATION and ECKERD STORE # 5605" hereby consent to the removal by C.B. FLEET HOLDING COMPANY, INCORPORATED and C.B. FLEET COMPANY, INC. of the above-titled action to the United States District Court for the Southern District of New York.

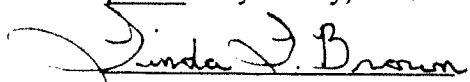
3. By consenting to the removal of this action, GENOVESE DRUG STORES, INC., and ECKERD CORPORATION i/s/h/a "ECKERD CORPORATION and ECKERD STORE # 5605" do not waive any of their defenses to this action, and specifically reserve all of their defenses, including

but not limited to lack of personal jurisdiction, improper and/or inconvenient venue, and failure to state a claim.

4. While ECKERD CORPORATION i/s/h/a "ECKERD CORPORATION and ECKERD STORE # 5605" consents to removal, it does not concede that it is a proper party to this action. Notwithstanding the foregoing, GENOVESE DRUG STORES, INC. and ECKERD CORPORATION i/s/h/a "ECKERD CORPORATION and ECKERD STORE # 5605" agree with the arguments in the Notice of Removal of FLEET.


ANITA WARD

Sworn to me before this
16th Day of July, 2007


NOTARY PUBLIC

